

UNITED STATES DISTRICT COURT

Republic Restaurant, Inc. District of Massachusetts

FILED
IN CLERK'S OFFICE

2004 JAN 22 P 2:02

SUMMONS IN A CIVIL ACTION

DISTRICT COURT
DISTRICT OF MASS.

V.

Hydan Washington Street, Inc.,
d/b/a Pho Republique and
Jack H. Bardy

CASE NUMBER:

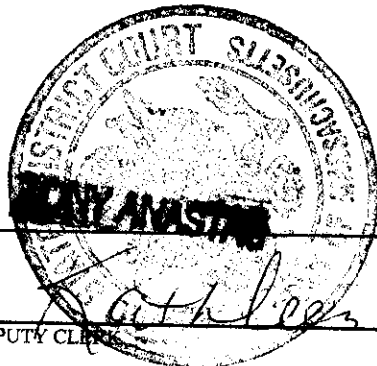
03-12649MLW

TO: (Name and address of Defendant)

Hydan Industries, Inc.
~~53 Warren Avenue~~ 468 Mass Ave
Boston, MA 02116

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)
Matthew E. Mitchell, Keegan, Werlin & Pabian, LLP, 265 Franklin Street,
Boston, MA 02110.

an answer to the complaint which is served on you with this summons, within Twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.



CLERK

DATE

1-12-04

(By) DEPUTY CLERK

Matthew E. Mitchell

RETURN OF SERVICE

Service of the Summons and Complaint was made by me (1)

DATE

January 16, 2004

NAME OF SERVER

BURTON M. MALKOFSKY

TITLE

Process Server / A Disinterested Person

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:

_____, MASSACHUSETTS

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person whom the summons and complaint were left:

Said service was made at: _____, MASSACHUSETTS

☒ Other: By handing true and attested copies thereof to Mr. "John Doe", Cook andDuly Authorized Agent for the within-named Hydan Industries, Inc.

Said service was made at:

1415 Washington Street, Boston, MASSACHUSETTS

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

\$ 72.00

TOTAL

\$ 72.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on January 16, 2004

Date

Signature of Server

One Devonshire Place, Boston, Massachusetts

Address of Server

ADDITIONAL INFORMATION

PLEASE NOTE THAT IT WAS NECESSARY TO MAKE 3 ATTEMPTS BEFORE MAKING PROPER SERVICE.

Date	Time	Remarks	FEE
1/14/04	at 2:45p.m.	at 53 Warren Ave., Boston, Ma. - No service...Said address is a 4-unit residential bldg. being remodeled & within-named was not listed. Verizon has no listing for within-named in Boston, Ma. Secretary of State lists within-named at 468 Mass.Ave., Boston, Ma. & Jack Bardy, 53 Warren Ave., Boston, Ma. is Pres., Treas. & Clk.....	\$ <u>24.00</u>
Your Office instructed Process Server to attempt service at 468 Mass. Ave., Boston, Ma...			\$ <u>00.00</u>
1/15/04	at 12:45p.m.	at 468 Mass. Ave., Boston, Ma. - No service....Said address is a 3-unit residential bldg. and within-named was not listed.....	\$ <u>24.00</u>
Your Office instructed Process Server to attempt service at 1415 Washington St., Boston, Ma...			\$ <u>00.00</u>
1/16/04	at 2:30p.m.	at 1415 Washington St., Boston, Ma.- Said address is the site of Pho Republique where Service was made on a Cook who was in charge at time of said service and he refused to give out his name...He is a white male in his mid 30's with blond hair, about 5'10", about 150 lbs.. Your Office was notified of same.....	\$ <u>24.00</u>
DUE & DILIGENT SEARCH: \$ <u>00.00</u> No service was made because when constable arrived at said address he discovered said address to be			TOTAL \$ <u>72.00</u>

(1) As to who may serve a summons see Rule 4 to the Federal Rules of Civil Procedure.

Suvalle, Jodrey & Associates
Massachusetts Constables since 1925

One Devonshire Place
Boston, MA 02109

Telephone # (617) 720-5733
Fax # (617) 720-5737